

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

EDGAR T. NUMRICH,  
Plaintiff,

3:15-CV-00183-JE

ORDER

v.

STATE OF OREGON,  
Defendant.

BROWN, Judge.

Magistrate Judge John Jelderks issued Findings and Recommendation (#17) on June 17, 2015, in which he recommends the Court grant Defendant's Motion (#8-1) to Dismiss, deny as moot Defendant's Motion (#8-2) for More Definite Statement, and dismiss this matter with prejudice. Plaintiff filed timely Objections to the Findings and Recommendation. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1). *See also Dawson v. Marshall*, 561 F.3d 930, 932 (9<sup>th</sup> Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9<sup>th</sup> Cir. 2003)(*en banc*).

In his Objections Plaintiff reiterates the arguments contained in his Response to Defendant's Motion to Dismiss. This Court has carefully considered Plaintiff's Objections and concludes they do not provide a basis to modify the Findings and Recommendation. The Court also has reviewed the pertinent portions of the record *de novo* and does not find any error in the Magistrate Judge's Findings and Recommendation.

#### CONCLUSION

The Court **ADOPTS** Magistrate Judge Jelderks's Findings and Recommendation (#17), **GRANTS** Defendant's Motion (#8-1) to Dismiss, **DENIES as moot** Defendant's Motion (#8-2) for More Definite Statement, and **DISMISSES** this matter **with prejudice**.

IT IS SO ORDERED.

DATED this 31<sup>st</sup> day of August, 2015.

/s/ Anna J. Brown

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ANNA J. BROWN  
United States District Judge